

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LANGUAGE LINE, LLC,

Plaintiff,

v.

ADVANCED LANGUAGE LINE, LLC,

Defendant.

Case No. 11-CV-05309-SI

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR ENTRY
OF DEFAULT JUDGMENT AGAINST
DEFENDANT**

IT IS ORDERED that Plaintiff's motion for entry of default judgment pursuant to Fed. R. Civ. P. 55(b) is hereby GRANTED.

IT IS FURTHER ORDERED:

A. Judgment is entered in favor of Plaintiff and against the Defendant on all of Plaintiff's causes of action asserted in this Complaint;

B. Pursuant to 15 U.S.C. § 1116(a), Defendant, and its respective agents, employees, representatives, servants, successors, assigns, and all those acting under its control and/or on its behalf and/or in concert with it, are forever and permanently enjoined from (1) using in any manner Plaintiff's LANGUAGE LINE, LANGUAGE LINE SERVICES and LANGUAGE LINE UNIVERSITY service marks (the "Marks"), or any name, trademark, service mark or domain name that incorporates any of the Marks or is otherwise confusingly similar to or is a colorable imitation of one or more of the Marks, including without limitation the name and service mark ADVANCED LANGUAGE LINE and the domain name "advancedlanguageline.com" (together, the "Infringing Marks"); and (2) engaging in any act or thing calculated or likely to cause confusion or mistake in the minds of members of the public, or prospective customers of Plaintiff's goods and services, as to the source of Defendant's goods or services offered for sale, distributed or sold, or likely to deceive members of the public or

1 prospective customers, into believing that there is some connection between Defendant or its
2 goods and services and Plaintiff.

3 C. Pursuant to 15 U.S.C. § 1116(a), Defendant is ordered to file with this Court and
4 serve upon Plaintiff within thirty (30) days after entry of this injunction, a detailed report in
5 writing under oath of a person with authority at Defendant setting forth in detail all actions taken
6 to comply with the injunction, and that it has ceased all use of the Infringing Marks in connection
7 with the advertising, promotion or sale of any goods or services;

8 D. Pursuant to 15 U.S.C. § 1118, Defendants are ordered to deliver to Plaintiff for
9 destruction, or to show proof of said destruction or sufficient modification to eliminate the
10 infringing matter, all articles, packages, wrappers, products, displays, labels, signs, circulars,
11 letterhead, business cards, promotional items, clothing, literature, sales aids, or any other matter
12 in the possession, custody or control of Defendant or its agents bearing any of the Marks or the
13 Infringing Marks, in any manner, or any trademark, service mark or name that is confusingly
14 similar to or a colorable imitation of one or more of the Marks, including without limitation the
15 Infringing Marks, both alone and in combination with other words or terms;

16 E. Defendant is ordered to change its business name to a name that does not in any
17 manner incorporate any of the Marks or which otherwise would violate the permanent injunction
18 set out herein;

19 F. Defendant is ordered to take all necessary steps to cancel any trademark, service
20 mark or trade name application for registration or registration it may have in the United States if
21 any, for either or both of the Infringing Marks and any other name, trademark or service mark
22 that incorporates any of the Marks;

23 G. Defendant is ordered to transfer ownership of the domain name
24 advancedlanguageline.com to Plaintiff within five (5) business days from the entry of this
25 Judgment;

26 H. Pursuant to 15 U.S.C. § 1117(d), judgment is entered against Defendant in favor
27 of Plaintiff in the amount of \$25,000 for Defendant's violation of 15 U.S.C. § 1125(d)(1); and
28

1 I. Pursuant to 15 U.S.C. § 1114(a), judgment is entered against Defendant for
2 Plaintiff's attorney's fees in the amount of \$16,810.00 and costs of suit in the amount of
3 \$1,606.13.

4 May 25
5 Dated: February 25, 2012



Hon. Susan Illston,
UNITED STATES DISTRICT JUDGE

8 Submitted by:
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12 Attorneys for Plaintiff
13 LANGUAGE LINE, LLC
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